

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*
State Engineer.

Plaintiff,
v.

ROMAN ARAGON, *et al.*,

Defendants.

03 SEP 11 PM 1:29

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM

Canjilon Creek, Section 3

Subfile No.: CHCJ-007-0001

CONSENT ORDER

The Court, having considered the agreement between the Plaintiff State of New Mexico and Defendant(s):

PRESBYTERIAN CHURCH (USA) GHOST RANCH AT ABIQUIU

concerning the Defendant's right to use the public waters of the Rio Chama Stream System, as set forth below finds:

1. The Court has jurisdiction over the parties and the subject matter of this suit.
2. The State of New Mexico and the above-named Defendant(s) are in agreement concerning certain elements of Defendant's right to divert and use the public waters of the Rio Chama Stream System, Canjilon Creek, Section 3, and by their signatures appearing below, the State and the Defendant(s) have approved and accepted the elements of Defendant's water rights as set forth in paragraph 4 herein.
3. There is no just reason for delay for the entry of a final judgment as to the elements of the claims of the Defendant(s) adjudicated by this order.

RECEIVED

JUN 23 2003

OFFICE OF THE STATE ENGINEER
LEGAL SERVICES DIVISION

7219

4. The right of the Defendant(s) to divert and use the public waters from the Rio Chama Stream System, Canjilon Creek, Section 3, is set forth below:

A. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer Files No(s) 01485

Priority: Reserved for future determination by court order entered July 25, 2000.

Source of Water: Surface Waters of the Arroyo del Yeso, a tributary of the Canjilon Creek, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: GHOST RANCH DITCH

Location X: 1,577,945 feet **Y:** 1,944,331 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Section 01, Township 24N, Range 04E, N.M.P.M.

Pt. SW $\frac{1}{4}$	1.0 acres
----------------------	-----------

Section 11, Township 24N, Range 04E, N.M.P.M.

Pt. NE $\frac{1}{4}$	3.8 acres
----------------------	-----------

Pt. NE $\frac{1}{4}$	6.5 acres
----------------------	-----------

Section 12, Township 24N, Range 04E, N.M.P.M.

Pt. NW $\frac{1}{4}$	2.0 acres
----------------------	-----------

Pt. NW $\frac{1}{4}$	19.8 acres
----------------------	------------

Total	33.1 acres
-------	------------

As shown on the 2000 Hydrographic Survey Map CHCJ- 7.

Amount of Water: Reserved for future determination by court order entered July 25, 2000.

B. NO RIGHT (Surface Water Only):

Office of the State Engineer Files No(s) 01485

Priority: NONE

Source of Water: Surface Waters of the Arroyo del Yeso, a tributary of the Canjilon Creek, a tributary of the Rio Chama.

Purpose of Use: NO RIGHT

Point of Diversion:

Ditch: GHOST RANCH DITCH

Location X: 1,577,945 feet **Y:** 1,944,331 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Acreage

Section 11, Township 24N, Range 04E, N.M.P.M.

Pt. NE¼	2.9 acres
Within the Piedra Lumbre Grant	2.2 acres
Total	5.1 acres

As shown on the 2000 Hydrographic Survey Map CHCJ- 7.

Amount of Water: NONE

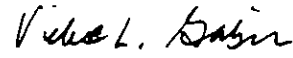
5. Defendant(s) have no surface water rights in the Rio Chama Stream System, Canjilon Creek, Section 3, other than those set forth in this order and those other orders entered by this Court in this cause.
6. Defendant(s), his or her successors, representatives, heirs and assigns, should be enjoined from any use of the surface waters of the Rio Chama Stream System, Canjilon Creek, Section 3, except in strict accordance with the water rights described herein.
7. The water rights described herein, if any, are adjudicated subject to the right of any other water right claimant with standing to object prior to the entry of a final decree.

IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the waters of the Rio Chama Stream System, Canjilon Creek, Section 3, are as set forth herein. The Defendant(s), his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Canjilon Creek, Section 3, except in strict accordance with the rights set forth herein or in other orders of the Court.

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.


UNITED STATES DISTRICT JUDGE


Recommended for approval:


SPECIAL MASTER

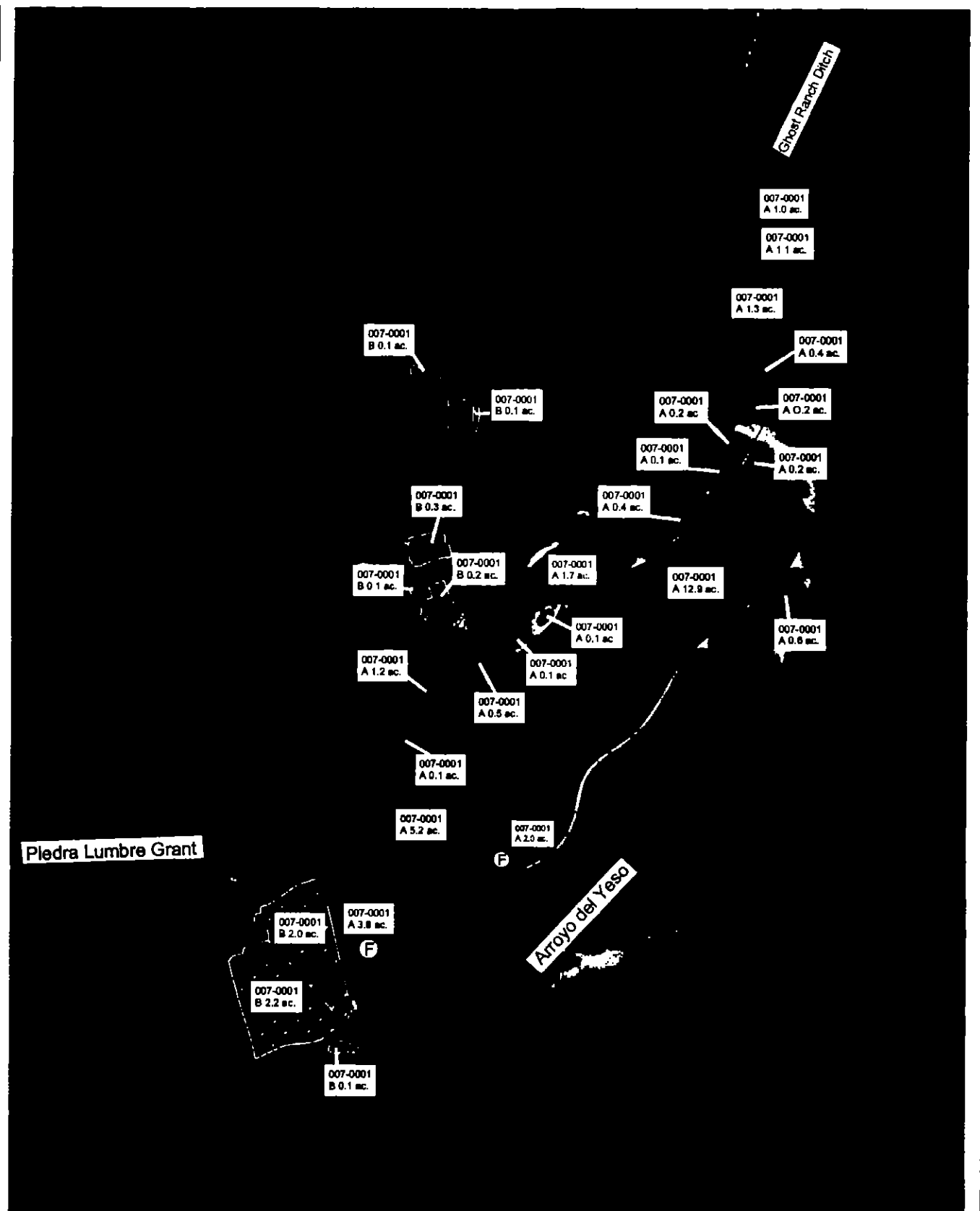
ACCEPTED:  attorney for:
PRESBYTERIAN CHURCH (USA) GHOST RANCH
AT ABIQUIU

ADDRESS: Box 6390
Taos, N.M. 87571

DATE: June 19, 2003


EDWARD G. NEWVILLE
Special Assistant Attorney General

6.23.03
Date



- Legend**
- Ⓢ Fellow
 - Irrigated Tract Boundary
 - - - No Right Tract Boundary
 - Operable Ditch
 - - - Abandoned Ditch
 - Stock Pond / Reservoir
 - Point of Diversion

Scale
1 inch = 500 feet

100 0 100 200 300 400 500 Feet



STATE OF NEW MEXICO
Office of the State Engineer
Thomas C. Turney, State Engineer

Rio Chama Hydrographic Survey
CANJILON CREEK SECTION

Subfile Number
CHCJ-007-0001
Ghost Ranch Ditch
July 14, 2000

